

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Suits – Arbitration – An amount of Rs. 8,48,000/- towards 50% of decretal amount to be deposited to the credit of O.S No. 132/1998 on the file of Hon'ble VII Additional District Judge Court, Visakhapatnam in respect of the work relating to "Excavation of YLMC from KM 69.00 to KM. 70.725 " entrusted to M/s M. Prabhakar Rao & Co, Visakhapatnam in terms of the conditional stay granted by the Hon'ble High Court on 07.02.2011 in ASMP No. 72 of 2011 in AS.No.788 of 2008 - sanctioned - Orders - Issued.

-----

IRRIGATION & CAD (ARBITRATION)DEPARTMENT

G.O. Ms. No.19

Dt: 04-02-2012

Read the following

- 1) From the Engineer-in-Chief (Irrigation), G.D.S. Unit , Hyderabad Lr. No. ENC(I)/DCE(GDS)/OT1/SH(27)/OE/ARB/LOC/2010-11, dt. 30.05.2010
- 2) From the Engineer-in-Chief (Irrigation), G.D.S. Unit , Hyderabad Lr. No. ENC(I)/DCE(GDS)/OT1/SH(27)/OE/ARB/LOC/2010-11, dt. 05.08.2011

ORDER

The Engineer-in-Chief (Irrigation), G.D.S. Unit , Hyderabad in his letter 1<sup>st</sup> read above has reported that the department has filed appeal in A.S. No. 788/2008 with a prayer to grant stay of all further proceedings in pursuance of the Judgment and Decree passed in O.S No. 132/1998 dated.31.01.2006 on the file of the VII Additional District Judge Visakhapatnam including execution proceedings passed in E.P. No. 1/2007 on the file of the VII Additional District Judge Visakhapatnam pending A.S. No. 788 of 2008 on the file of the Hon'ble High Court . The Hon'ble High Court in its interim order in ASMP No. 72/2011 dated.07.02.2011 has granted stay subject to the condition of the petitioner depositing half of the amount awarded by the Court below within a period of (8) weeks from today i.e 07.02.2011 and on such deposit, the respondent-claimant was permitted to withdraw the same, with out furnishing any security. In case of default, the stay stands vacated and it is open for the respondent to proceed with the execution, which is stated to have already been filed.

2. In pursuance the above interim conditional stay order , the Engineer- in-Chief (Irrigation), G.D.S. Unit , Hyderabad has requested to accord sanction an amount of Rs. 8.48 lakhs towards 50% of decretal amount to be deposited to the credit of O.S No. 132/1998 on the file of Hon'ble VII Additional District Judge Court, Visakhapatnam .

P.T.O.

3. Government after careful examination of the matter, hereby accord sanction for an amount of Rs. 8,48,000/- ( Eight lakhs Fourty Eight thousand Only) towards 50% of decretal charges to be deposited to the credit of O.S No. 132/1998 on the file of Hon'ble VII Additional District Judge Court, Visakhapatnam in respect of the work relating to "Excavation of YLMC from KM 69.00 to KM. 70.725 " entrusted to M/s M. Prabhakar Rao & Co, Visakhapatnam vide Agreement No. 5/1986-87 dated.16.01.1987.

4. The amount sanctioned in para ( 3 ) above shall be debitable to the detailed Head of Account under " 4700-01-GH 11-NSP-116 YRS-SH (27) C&D-530 Major works/531 OE".(charged)

5. The Engineer-in-Chief (Irrigation), G.D.S. Unit , Hyderabad shall deposit the above sanctioned decretal amount in the respective court to the credit of O.S. No. 132/1998 for avoiding further legal complications in the matter.

6. This order issues with the concurrence of Finance ( W & P) Department vide their U.O No. 266/F7(A1)/2012-1, dt. 30.1.2012.

( BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR. PRASANTA MAHAPATRA  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Engineer-in-Chief (Irrigation), G.D.S. Unit , Hyderabad  
The Accountant General, A.P. Hyderabad.  
The Director, Works Accounts, A.P Hyderabad.  
The District Treasury Officer, Visakhapatnam  
The pay and Accounts Officer, Visakhapatnam  
The Superintending Engineer, YRP Circle, Kakinada, East  
Godavari District  
Copy to : The P.S. to Minister (M & MI)  
The P.S to Prl. Secy. to Govt., I&CAD Department.  
The Finance (W&P) Department.  
The Law Department  
The I & CAD (P&B) Department.  
S.F/ S.C

//FORWARDED: BY ORDER//

SECTION OFFICER